

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RED BLACK TREE D.O.O.,

Plaintiff,

- against -

HOTEL CREDITS, INC., ET AL.,

Defendants.

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22-cv-7834 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court ordered the defendant Caitlin Zaino von During to submit, by October 15, 2024, a declaration made pursuant to 28 U.S.C. § 1746 providing responses to inquiries concerning her citizenship under 28 U.S.C. § 1332 (ECF No. 113). To date, no such declaration has been submitted.

The time for the defendant Caitlin Zaino von During to submit a declaration as directed in the Court's October 1, 2024 order is extended to **November 8, 2024**. The Court's October 1, 2024 order is enclosed.

The Clerk is directed to: (1) mail a copy of this Order and its enclosure to the defendant Caitlin Zaino von During at: Via Paolo Emilio 32, 00192 Rome, Italy; and (2) to send a copy of the same by email to [caitlinzaino@gmail.com](mailto:caitlinzaino@gmail.com).

SO ORDERED.

Dated: New York, New York  
October 21, 2024



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John G. Koeltl  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RED BLACK TREE D.O.O.,

22-cv-7834 (JGK)

Plaintiff,

ORDER

- against -

HOTEL CREDITS, INC., ET AL.,

Defendants.

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JOHN G. KOELTL, District Judge:

The defendant Caitlin Zaino von During is directed to submit, by **October 15, 2024**, a declaration made pursuant to 28 U.S.C. § 1746 providing responses to each of the following inquiries:

1. What was your citizenship status on November 27, 2023?
  - 1a. Please state each and every country of which you were a citizen on November 27, 2023.
  - 1b. Please state each and every country of which you were a permanent resident on November 27, 2023.
2. Did you own any real property on November 27, 2023?
  - 2a. If you answered "yes" to question 2, please list each and every real property asset you owned on November 27, 2023.
3. Did you lease any real property as a tenant on November 27, 2023?
  - 3a. If you answered "yes" to question 3, please list each and every real property asset you leased as a tenant on November 27, 2023.

4. Please state and specify the place you believed to be your true fixed home and principal establishment as of November 27, 2023.
5. Did you reside at the place you believed to be your true fixed home and principal establishment on November 27, 2023?
  - 5a. If you answered "no" to question 5, please state your place of residence on November 27, 2023.
  - 5b. If you answered "no" to question 5, please state whether, on November 27, 2023, you intended to return to the place you believed to be your true fixed home and principal establishment (your answer to question 4).
6. If you were residing in Italy on November 27, 2023, please state the following, as of November 27, 2023:
  - 6a. The immigration law basis for your stay in Italy (e.g., visa category, work permit, residency status);
  - 6b. The permitted duration of your stay in Italy;
  - 6c. Whether you intended to obtain permanent residency in Italy or another foreign country; and
  - 6d. A brief description of the purpose of your stay in Italy, omitting medical and sensitive family or personal information.

The Court notes that a declaration made pursuant to 28 U.S.C. § 1746 is made "under penalty of perjury." 28 U.S.C. § 1746. The statute provides that a declaration made outside the United States should state:

"I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

[Contents of declaration]


Executed on (date).

(Signature)."

Id.

SO ORDERED.

Dated: New York, New York  
October 1, 2024

  
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John G. Koeltl  
United States District Judge